

REMARKS

Claims 1-3, and 5 are pending in the present application. By the present amendment, claim 1 has been amended to further recite the presence of an automated control device. By the present amendment, the subject matter of claim 4 has been incorporated into claim 1 and claim 4 canceled. Also by the present amendment, claim 1 has been amended to recite the presence of an automated control device, and a new claim, claim 5, has been added to specify that the automated control devices can be preprogrammed.

Support for these amendments may be found in paragraphs [0029] and [0030].

Rejection under 35 U.S.C. §112, Second paragraph

The Examiner rejected claim 4, because it failed to recite antecedent basis for the claim term "the heating means". By the present amendment, Applicants have deleted claim 4, and accordingly, withdrawal of the objection to the specification is respectfully requested.

Rejection Under 35 U.S.C. §102

The Examiner has rejected claims 1-3 under 35 U.S.C. §102(b) as being anticipated by Fails et al., U.S. Patent No. 3,785,279 ("Fails").

While Applicants strenuously disagree with the Examiner's conclusions in this rejection, Applicants submit that this rejection is now moot because it does not relate to claim 3, and by the present amendment the subject matter of claim 3 has been incorporated into claim 1.

Rejection under 35 U.S.C. §103

The Examiner has rejected claims 1-4 under 35 U.S.C. §103 as being obvious in view of the combination of McClure, Jr., U.S. Patent No. 4,365,547 ("McClure") and Fails. The Examiner asserts Fails discloses an apparatus for the production of wood boards, which includes a plurality of platens, means for regulating the temperature of the platens, means for circulating a heating fluid like superheated steam through the plans, as well as means

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for detecting the temperature of the heating fluid, and means for responding to the detected temperature. (Office Action of April 22, page 3). The Examiner concedes that Fails does not mention the use of a heating means including a heat exchanger, but applies McClure to teach the use of a heat exchanger. (Office Action of April 22, page 4).

The present application relates to a press installation constructed to regulate the temperature of the press, and specifically the temperature of the press platens contained inside the press. (Paragraph 0015). The temperature of these platens (which compress the wood-additive mixtures into pressed boards or other composite products) is regulated by controlling the temperature of the oil supplied to the press platens. By changing the blend of cooler and warmer oil that is supplied to the press, the temperature of the platens can be regulated to within a relatively fine degree of tolerance. (Id.)

Applicants respectfully disagree with the Examiner's analysis, above, and traverse this rejection as follows.

In order to establish a *prima facie* case of obviousness, the Examiner must make all of the following showings: (1) there must be some suggestion or motivation to modify or combine the reference(s) as suggested by the Examiner (it is not sufficient to say that the cited reference(s) can be modified or combined without a teaching in the prior art to suggest the desirability of the combination or modification); (2) there must also be a reasonable expectation of success for the modification or combination; and (3) the reference(s), taken either alone or in combination, must teach or suggest all elements of the present claims. (M.P.E.P. §2143).

Specifically, Applicants note that the combination of McClure and Fails does not disclose the use of an automated control device, as recited in present claim 1. Nor does McClure and Fails disclose an automated control device that can be preprogrammed, as recited in present claim 5.

Therefore, based on the above remarks, the Examiner has failed to establish that claims 1-3, and 5 are obvious in view of McClure and Fails. Reconsideration and withdrawal of the rejections of claims 1-3, and 5 are respectfully requested.

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CONCLUSION

Reconsideration and withdrawal of the objection and rejection of the claims in view of the remarks provided herein and allowance of the claims being prosecuted are respectfully requested.

Respectfully submitted,

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